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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/560,370

12/13/2005

Akihiro Nakamura

71,051-024

3844

27305

7590

05/22/2008

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EXAMINER

PENG, KUO LIANG

ART UNIT

PAPER NUMBER

1796

MAIL DATE

DELIVERY MODE

05/22/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10560370	12/13/2005	NAKAMURA, AKIHIRO	71,051-024

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EXAMINER

Kuo-Liang Peng

ART UNIT	PAPER
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1796

20080524

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Commissioner for Patents

Applicant's election with traverse of Claims 1-2 and 4-6 in the response to restriction requirement filed April 4, 2008 is acknowledged. The traversal is on the ground(s) that the invention restriction should have been species election. This is not found persuasive because of the following reasons:

First, as the captioned application was filed under 35 USC 371 (not under 35 USC 111(a)), the invention restriction was adequately made based on PCT Rule 13.1 and 37 CFR 1.499 as set forth in the restriction requirement. Examiner would like to further draw Applicants' attention particularly to 37 CFR 1.475 (b) and (c). Therefore, the practice of species election according to 37 CFR 1.146 for the non-provisional application filed under 35 USC 111(a) does not appear to be applicable here.

Second, the claim language "an aromatic amine compound AND/OR an organopolysiloxane containing aromatic amino groups" recited in Claim 1 clearly indicates that the aromatic amine compound is indeed distinct from the organopolysiloxane containing aromatic amine group. (Emphasis added) As such, the "aromatic amine compound" is construed as any aromatic amine compound other than an ORANGOPOLYSILOXANE containing aromatic amino group.

Third, Applicants might have been aware that the composition (except component C) set forth in Claim 1 is well known. Examples can be found in the IDS provided by Applicants. In other words, the patentability, if any, is solely relied upon component C).

In conclusion, the claimed composition containing the "aromatic amine compound" and that containing the "organopolysiloxane containing aromatic amino groups" lack common special technical features, and the invention restriction requirement was adequately set forth in Paper No. 20080301.

Since the submission appears to be a bona fide attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply.

/Kuo-Liang Peng/
Primary Examiner, Art Unit 1796